

Decision Notice and Finding of No Significant Impact for the 2019 Blowdown Project

USDA Forest Service
Lakewood-Laona Ranger District Ranger District
Chequamegon-Nicolet National Forest
Langlade and Oconto County, Wisconsin

Introduction

This document presents a brief summary of the 2019 Blowdown Project Environmental Assessment (EA) and documents my decision and rationale for the selected alternative.

On July 19, 2019, strong winds damaged forested stands across northern Wisconsin including areas of concentrated damage across a swath of the southern half of the Lakewood-Laona Ranger District. Over 150,000 acres of United States Forest Service (USFS) lands sustained damage; this is roughly ten percent of the Chequamegon-Nicolet National Forest (CNNF) landbase. Approximately 86,000 acres of the affected forested stands sustained 50% or more of the stand blown down. The amount of forested land affected had been difficult to accurately estimate because the damage varies in intensity and because of the limitations with combining data gathered from satellite imagery, aerial photography and field reconnaissance for such a large area.

This project was developed to meet the CNNF's responsibility to implement goals and objectives identified under the current (2004) CNNF Land and Resource Management Plan (Forest Plan). This project focuses on fuel reduction in high risk areas (to reduce hazardous fuels that contribute to wildfire potential) and the salvage of downed wood (maximize utilization of wood products through commercial timber harvest). Decisions on subsequent reforestation actions will depend on site conditions and Forest Plan desired future conditions and will be consistent with Forest Plan standards and guidelines, Forest Service handbook and manual direction, and Best Management Practices.

The environmental assessment documents the analysis of proposed actions to meet the following needs identified for the project area:

- "Provide terrestrial ecosystems in healthy, diverse, and productive conditions that support the diversity of plant and animal communities and tree species..." – (Forest Plan, Goal 1.4)
- "Reduce hazardous fuels within communities at risk, in cooperation with local, federal and State agencies." – (Forest Plan, Objective 2.8c)
- "Contribute toward satisfying demand for wood products and special forest products through environmentally responsible harvest on National Forest System lands." – (Forest Plan, Goal 2.4)
- Additionally, taking action is consistent with Forest Service Manual to: "... cultivate and maintain tree stands in a manner that promotes and achieves a diverse pattern of vegetation that best meets the needs of people now and in the future." (Forest Service Manual 2402)

Decision

After careful review of the 2019 Blowdown Project EA, the project record, and having considered on-the-ground conditions in and near the project area, as well as input from the interdisciplinary team and the public, I have decided to implement the proposed action as described in the EA. The remainder of this section describes the actions included in my decision.

Briefly, my decision includes timber salvage and fuel reduction treatments on up to 39,400 acres of forest (Table 1). Clearcut treatments will include leaving reserve trees per forest plan guidelines wherever reserve trees are available and where their retention will not be detrimental to reforestation actions. The timber harvest treatments are expected to produce about up to 300 million board feet (MMBF) of wood products which will be sold as pulpwood (though it is possible that saw timber products may be sorted out). Biomass harvest will be allowed consistent with WDNR Woody Biomass Harvesting Guidelines, but it is unlikely to occur because of the overabundance of pulp logs. My decision also defers action on about 21,000 acres of damaged forest (stand damage exceeding 25% of the area). The majority of the damaged areas in which no salvage or fuel reduction treatments will occur are Ecological Reference Areas including Research Natural Areas, Special Management Areas, and Old Growth and Natural Features Complexes, as well as forested lowlands.

Existing road and trail system corridors and about 50 miles of temporary roads will be used to access forest for salvage harvest and fuel reduction treatments. Temporary roads would be decommissioned after use. The existing road and trail systems may need maintenance work such as brushing and spot graveling. Forest Service system roads not open to the public may need gates, berms, or other closure devices installed or replaced following the proposed harvest activity. Long-term transportation system needs within the project area (including designation of public motorized access travel ways) is not part of my decision.

Site specific information about all the treatment areas in my decision will follow the Post Storm Salvage Decision Tree provided in Appendix A of the EA with the conditional resource protection measures described in Appendix B. These resource protection measures apply at the stand or sub-stand level. All of the features identified are an integral part of my decision and are expected to lessen or lead to the avoidance of environmental impacts. My decision presumes that these features are effectively implemented along with the project activity.

Table 1. Salvage Treatment by Forest Type

| Acres of Salvage or Fuels Reduction Treatment by Forest Type | |
|---|---------------|
| Forest Type | Acres |
| Aspen-white spruce/balsam fir | 354 |
| Balsam fir-aspen/paper birch | 699 |
| Bigtooth aspen | 2,911 |
| Eastern white pine | 430 |
| Eastern white pine-hemlock | 23 |
| Eastern white pine-northern red oak/white ash | 350 |
| Hemlock | 4 |
| Jack pine | 1,393 |
| Jack pine-oak | 163 |
| Mixed pines | 12 |
| Mixed swamp conifer | 32 |
| Mixed upland hardwoods | 7,435 |
| Northern pin oak | 79 |
| Northern red oak | 1,469 |
| Oak-eastern white pine | 33 |
| Paper birch | 1,495 |
| Quaking aspen | 12,145 |
| Red maple | 144 |
| Red pine | 1,433 |
| Red pine-oak | 89 |
| Sugar maple | 440 |
| Sugar maple-basswood | 7,363 |
| Sugar maple-beech/yellow birch | 536 |
| White spruce-balsam fir | 384 |
| Total | 39,416 |

Reasons for the Decision

The selected alternative will be a significant step forward in promoting the long-term health and productivity within the project area. The damage in the project area occurred across all forest types and will present a wide range of tree regeneration challenges whether or not timber is salvaged from these stands. In particular, partially damaged oak, aspen and birch stands with a low density of healthy trees would have a low chance of desirable natural regeneration to maintain these forest types without active management.

Because the forest species composition across the Lakewood-Laona Ranger District is generally consistent with Forest Plan objectives, this proposed action will promote the maintenance of the pre-storm forest vegetation types where possible. Where natural regeneration is unlikely to be successful because of the current stand condition, future decisions on whether to plant pine, spruce or other species will occur following subsequent environmental analysis.

My decision includes the harvest of downed and snapped off trees which increase the risks of widespread damage from forest pests and wildfire. The damaged and downed wood presents a breeding ground for bark beetles, wood borers, and other potentially destructive insects; this is particularly true for conifer species like pine and spruce. Without treatment, forest productivity concerns arise because the gaps created in these stands tend to fill with brush. Prompt salvage and reforestation reduce these risks and maintains productivity.

The salvage harvest activities being proposed meet the need for restoration of forest health and will reduce the fuel loading within this landscape that is interspersed with private lands. There is a demand for wood products so commercial timber harvest will be the preferred tool for accomplishing vegetation treatments instead of fuel reduction contracts which are more costly.

This decision is consistent with the CNNF Forest Plan and meets Goal 1.4 to "Provide terrestrial ecosystems in healthy, diverse, and productive conditions" (Forest Plan, p. 1-3) and Goal 2.5-Forest Commodities, "Contribute toward satisfying demand for wood products and special forest products through environmentally responsible harvest on National Forest System lands" (Forest Plan, p. 1-6). This decision will allow stand regeneration to occur more rapidly; meeting Forest Service policy "to cultivate and maintain tree stands in a manner that promotes and achieves a diverse pattern of vegetation that best meets the needs of people now and in the future" (Forest Service Manual 2402).

When compared to the no action, this alternative will meet the purpose and need, while generating revenue to help offset the costs of restocking the stands. Taking no action would compromise the CNNF's ability to provide fully stocked stands. Without harvesting and subsequent reforestation work, damaged stands would remain understocked and regeneration of desirable tree species would be sparse in many areas. High concentrations of dead and dying trees could lead to increased wildfire risk and buildup of pathogens that could affect the health and diversity of adjacent, undamaged stands.

Public Involvement and Scoping

Scoping is a process for gathering comments about a site-specific proposed federal action to determine the scope of issues to be addressed and for identifying issues related to the proposed action (40 CFR 1501.7). The Forest Service uses public involvement and an interdisciplinary team of resource specialists to identify issues and develop possible solutions. Opportunities for comments enable concerned citizens, resource specialists from other agencies, and local governments to express their ideas and views. The Forest Service consulted individuals, tribal entities, Federal, State, and local agencies during the development of this EA.

This project was listed on the Quarterly Schedule of Proposed Actions beginning on August 7, 2019. This schedule is mailed or emailed to dozens of individuals and is available on the World Wide Web for those people interested in proposals occurring on the CNNF. The project information is available on the Forest website at <https://www.fs.usda.gov/project/?project=56538>

To gather feedback on this project, a mailing was sent on August 7, 2019 to stakeholders/interested parties. The notification was sent to individuals, representatives of various townships, organizations, and agencies expressing interest in information about projects on the Lakewood-Laona Ranger District. The Forest received three responses after the public notice was sent out. One was concerned with the degree of salvage within stands and encouraged harvest prescriptions that promote adequate stocking in the regenerating stand. Two respondents encouraged salvage harvests adjacent to their property to reduce the risk of wildfire.

A second public scoping and concurrent public comment period on the proposed action of this project was mailed out on December 30, 2019. The legal notice was published on January 4, 2020 for the scoping/comment period, which concluded on February 4, 2020. The December 2019 public notice, web-posting, and comment period disclosed that the Chequamegon-Nicolet National Forest is seeking an Emergency Situation Determination from the Chief of the Forest Service to be able to expedite actions to salvage timber, reduce hazardous fuels and restore access across the affected area. Comments received were supportive of fuel reduction (3) and right-of-way clearing (2), supportive of aspen regeneration and reforestation (2). One commenter requested that the CNNF increase open road density through this project, which is outside of the scope of this project.

No comments were received related to the Emergency Situation Determination request.

Tribal Consultation

Tribal consultation was initiated in August 2019 and was open throughout the project. Contacts included: Forest County Potawatomi Community, Menominee Indian Tribe of Wisconsin, Mille Lacs Band of Ojibwa, Oneida Tribe of Indians of Wisconsin, Sokaogon Chippewa Community (Mole Lake), Stockbridge-Munsee Band of Mohican Indians. No issues with this project were identified by tribes.

Findings Required by Other Laws and Regulations

National Forest Management Act of 1976 - Chequamegon-Nicolet National Forests 2004 Land and Resource Management Plan: This project has been designed according to direction in the 2004 Forest Plan. None of the activity occurs in areas that have been withdrawn by an act of Congress, by the Secretary of Agriculture, or by the Chief of the Forest Service. There are no wilderness areas; no rivers designated wild, scenic, or recreational; and no inventoried roadless areas within the project area (Forest Plan Record of Decision, page 16 and Forest Plan Final Environmental Impact Statement Appendix C and E). All commercial timber removal would occur on National Forest System land that is suitable for timber production.

An interdisciplinary team review of all Forest Plan standards and guidelines was conducted for this project and incorporated into the proposal as applicable (EA, Appendix B: Management Requirements). Because of the urgency of these salvage and fuel reduction actions, deviations from some guidelines normally followed in the implementation of the Forest Plan will be necessary. For example, some soils for which operations are usually restricted to frozen ground conditions will be available for operations during dry summer/fall.

Endangered Species Act of 1973, as amended 1978, 1979, 1982, and 1988 (16 U.S. C. 1531):

The goal of this act is first to prevent extinction of endangered plants and animals and, secondly, to recover these populations by preventing threats to their survival. The act provides direction to the Forest Service to establish objectives for habitat management and recovery through the Forest Plan for the conservation and protection of endangered and threatened species. It requires federal agencies to "... *implement a program to conserve fish, wildlife, and plants . . . to insure their actions do not jeopardize the continued existence of any threatened or endangered species or result in the destruction or adverse modification of critical habitat.*" All federally listed species known from the CNNF were considered in the biological evaluation for this project. Northern long-eared bat (NLEB), a threatened species, has the potential to be adversely impacted by the proposed salvage activities and other ongoing vegetation management projects being conducted on the CNNF. No critical habitat has been designated to date for this species; therefore, none would be affected. The effects of the project have been discussed during consultation with the U.S. Fish and Wildlife Service. The project is not likely to jeopardize the continued existence of the NLEB and it will be included in the annual reporting of CNNF land management activities per the NLEB 4(d) Rule Streamlined Consultation Framework.

There will be "no effect" on any other federally-listed species.

National Historic Preservation Act of 1966 (16 U.S.C. 470): This act secures protection of archaeological resources and sites on public and Indian lands. It provides direction for federal agencies to establish a program for preservation of historic properties. In compliance with this act, a review was conducted to determine if cultural resource surveys had been conducted within the project area, and if sites had been recorded. Cultural resource sites identified within the project area will be protected based on recommendations by the Forest Archeologist. For the vast majority of the identified cultural resource sites where timber salvage or fuel reduction actions will occur, the impact of windstorm on the site cannot be assessed until debris has been cleared. For these sites, resource consideration will be consistent with the process outlined in the Programmatic Agreement between the Wisconsin State Historic Preservation Office and the CNNF regarding the treatment of historic properties within areas related to severe weather damaged treatment areas.

Clean Water Act of 1972 (as amended, 1977): The Federal Water Pollution Control Act of 1972, as amended, is commonly referred to as the Clean Water Act. This was enacted to restore and maintain the chemical, physical, and biological integrity of the Nation's waters and sets the basic structure for regulating discharges of pollutants into U.S. waters. Section 319 for the 1977 amendments requires each state to develop and implement a program to control silviculture-related and other non-point sources of water pollution to the maximum extent practicable. Non-point sources of water pollution are controlled by the use of best management practices. Wisconsin developed Forestry Best Management Practices for Water Quality in 1995. These practices (as amended) will be followed for this project to limit non-point sources of water pollution from forest management activities.

Clean Air Act of 1970: This act regulates air quality levels and allows regulation of sources of pollution. The act requires the U.S. Environmental Protection Agency to identify common air pollutants that could endanger public health and welfare as well as develop National Ambient Air Quality Standards for each of these criteria pollutants. Six criteria pollutants have been identified. Particulate matter (PM10) is the primary pollutant generated on National Forest system lands and it occurs as a result of prescribed burning. Detailed burn plans are prepared and implemented for each prescribed burn associated with this project to ensure that objectives are met, and sensitive receptors are protected. These burn plans include a specific section on smoke management which specifies minimum requirements for smoke dispersal to ensure potential effects to safety, human health and other resources are mitigated.

Finding of No Significant Impact

As the responsible official, I am responsible for evaluating the effects of this project relative to the definition of significance established by the Council on Environmental Quality regulations (40 CFR 1508.13). After considering the environmental effects described in the EA and project record, I have determined that these actions will not have a significant effect on the quality of the human environment. In my finding I have considered both context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. I base my finding on the following:

Context

The setting of this action is limited to the blowdown area of the Lakewood portion of the Lakewood-Laona Ranger District. This decision is consistent with other windstorm-related salvage and fuel reduction activities implemented in the past by the CNNF, which lead toward achieving the goals, objectives, and requirements in the Forest Plan, while meeting the purpose and need of the project (see page 1). The physical and biological effects of the site-specific selected actions were analyzed at appropriate scales, such as within the project area, adjacent to the project area, or across a larger landscape. My decision would not pose significant short- or long-term effects. Management requirements and design features included in my decision minimize and avoid adverse impacts to the extent that such impacts for some resources are not measurable, even at the local level.

Intensity

My review of the interdisciplinary analysis finds the intensity of effects from implementing the selected action to be small and minor. A measure of the severity, extent, or quantity of effects of this project is based on information from the effect's analysis completed by the interdisciplinary team as documented in the project record. The effects of this project have been appropriately and thoroughly considered with an analysis that is responsive to concerns and issues raised by the public. CNNF staff have evaluated the environmental effects using relevant scientific information and knowledge of site-specific conditions gained from field visits. My finding of no significant impact is based on the context of the project, given above, and intensity of effects using the ten factors identified in 40 CFR 1508.27(b) and listed below:

- 1) Impacts may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on the balance the effects will be beneficial.**

My finding of no significant environmental effects is not biased by the beneficial effects of the action. I have considered and disclosed adverse impacts individually to determine significance and did not use beneficial impacts to "balance" out the significance of adverse impacts.

- 2) The degree to which the proposed action affects public health or safety.**

This type of action has been used many times on the CNNF with no adverse impact to public health and safety. Implementation of this project is expected to make the landscape safer by reducing wildfire risk and hazard tree removal. Debris removal from roads, trails, recreation sites and the general forest area will improve the public safety. There are no circumstances or conditions associated with my selected action to indicate there would be unusual or substantial risks to public health and safety. Considering the effects disclosed in the EA, and the information contained in the project file, I conclude that implementing the project would have no adverse impact to public health or safety.

- 3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.**

There will be no significant effects on unique characteristics of the area, because there are no park lands, prime farmlands, wild and scenic rivers, or ecologically critical areas affected by the 2019 Blowdown Project. In addition, the supporting documentation in the EA and the project file provides sufficient information to determine that this project will not affect any known unique characteristics of the geographic area.

- 4) The degree to which the effects on the quality of the human environment are likely to be highly controversial.**

These activities have occurred in similar conditions in the past and the effects are well known. The effects on the quality of the human environment are not likely to be highly controversial. Internal and public scoping identified no scientific controversy over the impacts of the project.

- 5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.**

The effects of this action are not uncertain, and do not involve unique or unknown risks. We have considerable experience with the types of activities to be implemented. This action has occurred in the past on the impacted landbases as well as other areas of the CNNF, and the effects are well-known. The analysis shows the effects are not uncertain, and do not involve unique or unknown risk.

- 6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.**

This action is not likely to establish a precedent for future actions with significant effects, because this action has occurred frequently in the past. It is not a new or unique action. Timber salvage actions have been independently implemented on the CNNF in the past without requiring subsequent actions that may have significant effects. There is no unusual circumstance associated with this action that would indicate it is substantially different from actions in the past.

- 7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.**

There would be no cumulatively significant effects as a result of this project. Though the July 2019 storm event will have a lasting impact on the forest age structure of the affected area, the project actions of fuel reduction and timber salvage will not. I have reviewed the impacts of those past, present, and reasonably foreseeable actions described in the Environmental Effects of the Proposed Action Section of the EA and find that this action will not have a significant cumulative impact on the environment. The effects of the action are limited to the project area and there are no other effects that would be additive to the effects of the proposed action.

- 8) The degree to which the action may adversely affect districts, sites, highways, structures, or objects in the Register of Historic Places or may cause loss or destruction of significant cultural or historical resources.**

The action will have no significant adverse effect on known districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places and this action will also not cause loss or destruction of significant scientific, cultural, or historical resources.

9) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act.

All federally listed species known from the CNNF were considered in the biological evaluation for this project. Northern long-eared bat (NLEB), a threatened species, has the potential to be adversely impacted by the proposed salvage activities and other ongoing vegetation management projects being conducted on the CNNF. Consultation about the impacts to NLEB began on August 28, 2019; post-project monitoring/reporting will be required. Detailed project information was submitted to the U.S. Fish and Wildlife Service via the streamlined online Information for Planning and Consultation interface. To meet expectations in consultation, the CNNF will continue to use streamlined 4(d) consultation for NLEB including estimates of the area (acres) where standing trees are expected to be lost to salvage operations as well as corresponding maps of those actions.

The adverse effect on NLEB is that trees they are using as roost trees or maternity trees could be cut down. If that occurs when the bats are present, this could result in either mortality to individuals or reduced survival or reproduction. While individual summer roosting trees or trees for maternity colonies may be removed during harvest treatments, bats would have suitable roosting habitat within or near the same location that can be used. Generally, disturbed bats can be expected to relocate to an alternate roost within their home range. While there is some potential for impacts to individual bats, this would not be significant at the project scale and no component of the decision is expected to reduce the reproduction, numbers, or distribution of the NLEB range-wide.

This review concludes there will be “no effect” on any other federally-listed species. Populations or habitat of threatened or endangered species would not be altered in a detrimental way from implementation of any alternative.

10) Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

This action does not threaten to violate any Federal, State or local laws imposed for protection of the environment. The action is consistent with the 2004 Forest Plan. This action will not have significant impacts on air and water quality, wetlands, soil resources, threatened and endangered species, or cultural resources. I have considered relevant environmental laws in my decision (see the previous section [Findings Required by Other Laws]).

Conclusion

After considering the environmental effects described in the EA and specialist reports, I have determined that the proposed action will not have significant effects on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. Implementation of this project will begin immediately.

Administrative Review and Objection Rights

The 2019 Blowdown Project is not subject to the objection process pursuant to 36 CFR 218, subparts A and B because the project was granted an Emergency Situation Determination by the Chief of the Forest Service on February 26, 2020. The Emergency Situation Determination follows the provisions of 36 CFR 218.21, which define an emergency situation and authorize the Chief or Associate Chief to make the determination that an emergency situation exists. An emergency situation in 36 CFR 218.21(b) is defined as:

A situation on National Forest System lands for which immediate implementation of a decision is necessary to achieve one or more of the following:

- Relief from hazards threatening human health and safety
- Mitigation of threats to natural resources on National Forest System or adjacent lands
- Avoiding a loss of commodity value sufficient to jeopardize the agency's ability to accomplish project objectives directly related to resource protection or restoration.

Implementation

Because the project was granted an Emergency Situation Determination, there is no objection period and the project will be implemented immediately.

Project Contact

For additional information concerning this decision, contact: Matthew St. Pierre, Land Management Planning Specialist by mail at 500 Hanson Lake Road, Rhinelander, WI 54501; by Phone: 715-362-1385, or by Email: matthew.stpierre@usda.gov. This and other project documents are also available on Forest website at <https://www.fs.usda.gov/project/?project=56538>

Approved by:



MIKE BROWN

Lakewood-Laona District Ranger



Date

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